

# Morgan Lewis

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August 2, 2023

**VIA ECF**

Hon. Robert W. Lehrburger, United States Magistrate Judge  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2260  
New York, NY 10007

**Re: *Lee v. Delta Air Lines, Inc.*, Case No. 22-cv-08618**

Your Honor:

We represent Defendant Delta Air Lines, Inc. (“Delta”) in the above-referenced matter. Pursuant to Your Honor’s Individual Rules, Delta respectfully requests an extension of the August 9, 2023 deadline to file its anticipated partial motion to dismiss the Second Amended Complaint (Dkt. No. 57) *sine die* pending: (a) adjudication of Delta’s motion for clarification filed in *Erika L. Lee v. Delta Air Lines Inc. et. al.*, No. 20-CV-8754 (C.D. Cal.) (“Lee I”); and (b) the outcome of the August 22, 2023 evidentiary hearing in this matter (Dkt. No. 67). Delta requests an extension because the adjudication of Delta’s motion for clarification in *Lee I* and/or the outcome of the evidentiary hearing in this matter may limit the scope of (or eliminate the need for) Delta’s anticipated motion.

There have been no previous requests for adjournments or extensions in this matter, and an extension of Delta’s deadline to file its anticipated motion (as well as the ensuing opposition and reply) will not implicate any other deadlines in this matter.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Ira G. Rosenstein  
Ira G. Rosenstein  
*Counsel for Defendant Delta Air Lines, Inc.*

cc: Plaintiff Erika Lee (via US Mail)

SO ORDERED:

8/3/2023

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

The Court respectfully requests the Clerk of Court to mail a copy of this Order to the pro se Plaintiff:

Erika Lee  
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